

REMARKS

Claims 1-17 are pending in the application. Claims 1-5 and 10-17 were rejected under 35 USC § 102(e) as being anticipated by Cave (U.S. Patent No. 6,404,746).

Cave is directed to a packet network in which a voice response unit (VRU) is used to convert PSTN signals into packet network. The VRU allows multimedia streams to be directed to a destination node, rather than having to pass through the VRU. The VRU maintains control of the connection between the source and destination nodes.

Applicant's invention as claimed is directed to preservation of supplementary services such as call forwarding, call waiting, call hold, etc., between two nodes of a packet network. Generally, packet networks use a different disconnection sequence than those used in ISDN networks, and the supplementary service information typically passed upon disconnection may be lost. An intermediate node between the sending and receiving station ensures that this information is transmitted.

With regard to claim 1, the VRU of Cave does not receive supplementary services. There is mention of 'enhanced services' that appear to be related to calling card number memory and personal identification number memory, but are not related to supplementary services as defined by Applicants. See Cave, column 6, lines 12-13 and Applicant's specification page 1, lines 22-29. While Applicants understand that the claims are read in light of the specification, Applicants also understand that when a specific definition is provided in the specification for a term, the claims must be interpreted using that definition. See *In re Zletz*, 893 F.2d 310, 13 USPQ2d 1320 (Fed. Cir. 1989)." See also the MPEP at 2173.05(a).

With regard to claim 1, Cave does not disclose a receiving a list of information elements from a sending station where the list is inserted into a call control message, wherein any supplementary services information included in the information elements is preserved,

nor does Cave disclose including a locally significant message in a globally significant message, wherein any supplementary services information in the locally significant messages is preserved. Applicants therefore submit that claim 1 is patentably distinguishable over the prior art and request allowance of this claim.

Claims 2-5 depend from claim 1 and should be ruled allowable for that reason and for their own merits. With regard to claims 3 and 5, Cave does not mention the term 'information element' much less that the information elements being appended to a call control message as in claim 3, or that the voice over packet network through which the supplemental services are preserved are one of the types of networks claimed in claim 5.

With regard to claims 2 and 4, as mentioned above, Cave does not mention the term 'information elements' much less that the information elements are contained in a Q.931 message as in claim 2, or that they are mapped into an H.225 message as in claim 4. The mention of Q.931 and H.225 is merely a general reference and does not teach receiving a Q.931 message and H.225 mapping of information elements. Applicant therefore submits that claims 2-5 are patentably distinguishable over the prior art and request allowance of these claims.

With regard to claims 10-17, the VRU of Cave does not teach *preservation* of supplementary services in a packet network. While Cave may teach *providing* enhanced services, it must be noted that Cave does not mention the term 'supplementary services' at all. Therefore, Cave cannot teach transferring supplementary services from the first communication device to the second communication device such that the supplementary services are transferred upon a disconnect message. The only references to disconnection in Cave has to do with the re-routing of the media messages, such as in column 2, lines 24-66, and column 19, line 4. There is no mention of transfer of supplementary services upon a disconnect as is performed by the network device of claim 10. Applicant therefore submits

that claims 10-17 are patentably distinguishable over the prior art and request allowance of these claims.

Claims 6-9 are rejected under 35 USC § 103(a) as being unpatentable over Cave. As discussed above, Cave does not teach all of the limitations of claim 1. Cave does not teach the RELEASE, RELEASE COMPLETE, DISCONNECT and FACILITY messages, as Cave does not teach any kind of disconnection sequence during which the supplementary services information is transferred. Applicant therefore submits that claims 6-9 are patentably distinguishable over the prior art and request allowance of these claims.

No new matter has been added by this amendment. The prior art made of record and not relied upon has been reviewed and is not considered pertinent to the Applicant's disclosure. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Julie L. Reed

Julie L. Reed
Reg. No. 35,349

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
503-222-3613